



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.791 OF 2026

Soheb s/o Bablu Deshmukh

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Ms Kavita S. Bhale, Advocate for applicant
Mr. V. K. Kotecha, A.P.P. for respondent – State
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 8th JUNE, 2026

PER COURT :

1. By this application, the applicant seeks his release on regular bail in connection with Crime No.110/2024, registered at Mahur Police Station, District Nanded for the offences punishable under Sections 103(1) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged crime. The applicant has been in continuous custody for over one and a half

years. Furthermore, the alleged incident occurred on the spur of the moment, in absence of premeditation. Since the investigation is now complete and the charge sheet has been filed, the trial is likely to take considerable time to conclude. In view of these circumstances, the applicant deserves to be enlarged on bail.

3. Per contra, the learned A.P.P. vehemently opposed the application, submitting that the gravity and seriousness of the offence disentitle the applicant from being enlarged on bail.

4. Having considered the rival submissions advanced by both sides and upon a perusal of the record including chargesheet, *prima facie* it appears that the incident occurred on the spur of the moment, in absence of any premeditation. Furthermore, since the investigation is complete and the charge sheet has already been filed, the further incarceration of the applicant is no longer required for investigative purposes.

5. Given the substantial number of witnesses cited by the prosecution, the trial is likely to take considerable period to conclude. This Court has also taken into account the prolonged period of incarceration already undergone by the applicant and the same may amount to pre-trial detention which is not warranted.

6. In view the aforestated circumstances, a case is made out to exercise discretion in favour of the applicant. Consequently, the application is allowed, and it is ordered that the applicant be enlarged on bail Hence, the order :

ORDER

- (i) The Bail Application is allowed.
- (ii) Applicant, Soheb s/o Bablu Deshmukh, be released on bail upon furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand), with one or two local solvent sureties, in the like amount, in connection with Crime No.110/2024, registered at Mahur Police Station, District Nanded for the offences punishable under Sections 103(1) and 3(5) of the Bhartiya Nyaya Sanhita, 2023, on the following conditions that :-
 - (a) The applicant shall not tamper with the prosecution witnesses in any manner.
 - (b) The applicant shall remain present on each date, unless exempted by the trial Court.
 - (c) In the event of breach of the condition, the concerned Court shall consider the application of the prosecution for cancellation of bail notwithstanding the fact that this Court has passed this order of granting bail to the applicant.

(iii) Needless to state that, the observations rendered herein are confined to the present application, and the trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

fmp/-